

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN DOUGHERTY,

Defendant.

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CRIMINAL NO: 2:19-cr-00064-JLS-1

**DEFENDANT JOHN DOUGHERTY'S MOTION TO JOIN DEFENDANT BRIAN
BURROWS' MOTION SEEKING A CONTINUANCE OF THE TRIAL DATE**

Defendant, John Dougherty, by and through his undersigned counsel, hereby moves to join in Defendant Brian Burrows' Motion Seeking a Continuance of the Trial Date (Dkt. No. 153) and in support thereof avers the following:

1. Trial of the above case is scheduled for October 26, 2020.
2. Currently pending before the Court are pre-trial motions to sever, which may alter the scope of trial, (*see* Dkt. Nos. 69, 70, 72, 74).
3. As these motions to sever discuss, there are effectively two parts of this case, an honest services fraud case and an embezzlement case. Mr. Dougherty's presence is the only common factor.
4. Currently pending before the Court is Mr. Dougherty's Motion to Dismiss the honest services fraud case.
5. Defendant Brian Burrows is only charged in the embezzlement case.
6. Currently pending before the Court is Defendant Robert Henon's Motion to Continue Trial, (Dkt. No. 154). Defendant Robert Henon is only charged in the honest services fraud case.

WHEREFORE, Defendant Dougherty respectfully requests to join in Defendant Burrows' Motion Seeking a Continuance of the Trial Date with regard to a trial on all counts. Should, however, the Court grant the pending motions to sever or grant Mr. Dougherty's motion to dismiss, Defendant Dougherty joins Defendant Burrows' motion to continue a trial with respect to the embezzlement charges (Counts 1-96). Defendant Dougherty is prepared to proceed to trial on the honest services charges (Counts 97-116) in October, provided that the government promptly discloses information Mr. Dougherty requested in a letter dated July 13, 2020, that is necessary for Mr. Dougherty to effectively prepare for trial. *See* Ltr. dated July 14, 2020 from H. Hockeimer to F. Costello (attached hereto as Exhibit A).

Date: July 28, 2020

/s/ Henry E. Hockeimer, Jr.

Henry E. Hockeimer, Jr. (I.D. No. 86768)

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